Rama Varmha Tampuran *(Secretary to Government)* : I have no information. I am sorry.

Government regret they cannot accept the principle of this cut motion. As was pointed out, neither in British India nor in Travancore this practice of paying the honorary bench magistrate exists. Further there are also several classes of other honorary workers, and we cannot make any invidious distinction between one class and another. For these reasons the Government regret they cannot accept this motion.

Mr. K. R. Viswambharan *(Ezhuvas-Talappalli)* : I beg to withdraw the motion.

Motion, by leave, withdrawn

Demand of Rs. 2,01,523 under 16. Law and Justice put and carried

11. Law and Justice (Cranganur) Rs. 11,571

Mr. M. Sivarama Menon *(Advocate-General)* : I beg to move for the grant of Rs. 11,571 under 11—Law and Justice—Cranganur.

Demand put and carried

17. Jails Rs. 64,378

Rama Varmha Tampuran *(Secretary to Government)* : I rise to move for an allotment of Rs. 64,378 under 17—Jails. No detailed explanation is called for on the figures, and I request the House may be pleased to vote this grant.

CUT MOTION No. 1

Making special arrangements for Political prisoners in our Jails

Mr. T. S. Ramachandra Ayyar *(Chittur-Tattamangalam)*: I beg to move *to reduce the allotment of Rs. 64,400 for Jails by Rs. 2.* The object of this cut motion is to bring to the notice of the Government *the desirability of making special arrangements for the political prisoners in our Jails.* I feel that the Government would do well to set up an Adhoc Committee to go into the question in detail and frame proposals for the acceptance of the Government. But the motion now before the House has got only a restricted scope. It deals only with the question of political prisoners. Therefore I confine myself to that aspect of the matter alone. Sir, I understand that except for a few small amenities like there being allowed, news-papers, and periodicals, political prisoners of the jail are allowed no special treatment. The political prisoners are people who have committed no offence involving any moral turpitude. They are people who have moral courage to say what they feel and to do what they say. It might happen that they come into clash with the views of the Government at times, but the present political prisoner of today may become Minister of tomorrow. Whatever it is, a system which allows a man who for the courage of his convictions is allowed to rub shoulders with a martyr, with a common thief, is one which does not at all redown to the credit of civilised Government. I understand that according to the present jail rules, our political prisoners are allowed to have interviews with kinsmen only once in three months. They are allowed to write letters only once in three months. Such restrictions should not be placed on such prisoners. I request the Government to consider this matter with all sympathy and I call upon this House to support this motion.

Dr. A. R. Menon *(Trichur-North)*: As a matter of information, was there not a committee appointed a few years ago by the Government ? I think certain recommendations were made for the classification of prisoners.

Rama Varmha Tampuran *(Secretary to Government)*: It has been done. There is provision, under the Jail Rules, for the classification of prisoners into three, A, B and C. Rule 701 (b).

Mr. K. Ayyappan *(Ezhuvas-Kanayannur)*: Are all political prisoners included under A class.

Rama Varmha Tampuran *(Secretary to Government)*: The court must decide under which class a convicted person should be placed.

Mr. K. Ayyappan *(Ezhuvas-Kanayannur)*: If he is not classified, he will have to go along with other prisoners ?

Rama Varmha Tampuran *(Secretary to Government)*: The Judge or the District Magistrate must decide whether the person should be classed under, Class A, Class B or Class C. He makes the recommendation to the Government.

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Mr. President: I may inform the Hon'ble Members that the political prisoners are very few. They are kept separate.

Mr. A. B. Salem *(Mattancheri):* Is it correct that they are classified as A, B and C? I understand that they are kept separate.

Rama Varmha Tampuran *(Secretary to Government):* There is a classification as A, B and C with regard to diet, interviews, newspapers and all these things.

Mr. A. B. Salem *(Mattancheri):* A political prisoner gets into the jail not for any criminal violence. Is there any distinction between A class, B class and C class—criminal and political prisoners?

Rama Varmha Tampuran *(Secretary to Government):* For persons convicted of offences, there is no classification. Classification applies only to political prisoners. Each class is entitled to certain privileges. There is no classification among ordinary prisoners. A special classification has been made for the convenience of political prisoners.

Dr. A. R. Menon *(Trichur-North):* For the information of the House I may state that my friend Mr. Ibrahim was in the jail, he was allowed special treatment. He was allowed even smoking; he was given one packet of cigarettes per day.

Mr. C. R. Iyyunni *(Trichur-South):* May I know whether the concession of allowing the kinsmen to interview is allowed to detenues?

Rama Varmha Tampuran *(Secretary to Government):* Yes.

Mr. C. R. Iyyunni *(Trichur-South):* I had a small experience. Myself and Mrs. Iyyunni went to see Mr. Kuttan Nair, and we were not allowed to see him, or have a talk with him.

Rama Varmha Tampuran *(Secretary to Government):* He was treated as an ordinary prisoner. There must be a motion made; the judge will pass an order as to the class under which the prisoner should be put.

Mr. E. Ikkanda Warriar *(Cheruthuruthi):* Government order contained a provision that he should be allowed to see visitors twice a month. Probably, this gentleman went there at a different time.

Rama Varmha Tampuran *(Secretary to Government):* The relevant section for this is Section 701 (b). The Sessions Judges and Magistrates of the 1st class, in cases tried by them should make the initial recommendation to the Government for classification under A, B or C. This has to be confirmed. A detenue does not come under any of these rules. A detenue is a person who has not been tried by a court of law and hence a court of law cannot say anything in regard to this matter.

Mr. M. Sivarama Menon *(Advocate-General):* He was not convicted of any offence. He was only detained. Certain concessions were given to him. He had access to newspapers; twice a month he was allowed interviews with kinsmen.

Mr. A. B. Salem *(Mattancheri):* What was the amount given to him?

Rama Varmha Tampuran *(Secretary to Government):* I think he was allowed Rs. 15.

മിസ്റ്റർ സി. കെ. നായർ: രാജ്യദ്രോഹമൂലം, നിയമവിരുദ്ധമെന്ന് ഗവൺമെണ്ടിന്നു തോന്നാവുള്ള, കുറങ്ങൾ ചെയ്യുന്ന രാഷ്ട്രീയ തടവുകാരെയെല്ലാം ഒരേക്ലാസ്സിൽ ഉൾപ്പെട്ടത്തതാണോ?

മിസ്റ്റർ എം. ശിവരാമമേനോൻ: പൊളിറ്റിക്കൽ പ്രിസണേഴ്സ് എന്നു പറഞ്ഞാൽ അവർ ഒരാളെ കുത്തിക്കൊല്ലുകയോ, അടിയ്ക്കുകയോ കൊച്ചു ശിക്ഷാനിയമപ്രകാരം മറ്റു കുറങ്ങൾ ചെയ്കയോ ചെയ്തിട്ടുള്ള രാഷ്ട്രീയ തടവുകാർക്കു ചില ആനുകൂല്യങ്ങൾ ലോകത്തിലെ വിടേയും സാധാരണ അനുവദിച്ചുവരുന്നുണ്ട്. ബ്രിട്ടീഷ് ഗവൺമെണ്ടിന്റെ ഈ വിഷയത്തിലുള്ള നയമാണ് ഇവിടെയും സ്വീകരിച്ചിരിക്കുന്നത്. ശിക്ഷിക്കപ്പെട്ടവരുടെ അതേവരെയുള്ള ജീവിതരീതിയും അവരുടെ നിലയും മറ്റും നോക്കിയാണ് ആനുകൂല്യങ്ങൾ ഇന്നതരത്തിലാണ് കൊടുക്കേണ്ടതെന്നു തീരുമാനിക്കുന്നത്.

Mr. C. V. Iyyu *(Kunnamkulam):* Ordinarily a political prisoner will not request the court that he should be placed in the first class. In British India the Magistrates and judicial officers even without the request of the prisoners place them in the A or B or C class. Our courts do not care to do it of their own motion.

Mr. M. Sivarama Menon *(Advocate-General):* When the case is before the court generally the courts ought to be moved, and the court is bound to say in which class a particular prisoner should be placed because the word used is "shall". So unless there is such a motion before the court, you cannot blame the court.

Mr. A. B. Salem *(Mattancheri):* Is there any objection for the Government to adapt the practice of the police recommending regarding this classification?

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Mr. M. K. Devassy *(Adur):* May I know Government has any objection to so amend the rules as to make the courts to do it? *Suo moto?*

Mr. M. Sivarama Menon *(Advocate-General):* That requires consideration.

Mr. President: The question is being examined.

Mr. M. K. Devassy *(Adur):* I may bring to the notice of the Government that I know Mr. C. Achyuta Menon of the Trichur Bar who was convicted as a political prisoner was kept in the third class. It was because he did not move for a special treatment.

Mr. T. S. Ramachandra Ayyar *(Chittur-Tattamangalam):* With the permission of the Chair I shall read a booklet written by Mr. C. Achyuta Menon "a jail bird of the State".

Mr. President: On what subject?

Mr. T. S. Ramachandra Ayyar *(Chittur-Tattamangalam):* On his experiences in our jail.

Mr. President: Since the Hon'ble Member has been informed that Mr. C. Achyuta Menon did not plead for special treatment, I do not consider that his experience in the third class is a very relevant question here. I can assure the Hon'ble Member that I will look into the question.

Mr. T. S. Ramachandra Ayyar *(Chittur-Tattamangalam):* Thank you, Sir, I do not press the motion.

Motion, by leave, withdrawn

The demand of Rs. 64,378 under "17—Jails" was put and carried

12. Jails (Cranganur)—Rs. 369

Rama Varmha Tampuran *(Secretary to Government):* I rise to move for an allotment of Rs. 369 under "12—Jails (Cranganur)".

Demand put and carried

18. Police—Rs. 2,93,673

Khan Sahib Y. Muhammad Roshan Sahib Bahadur *(Commissioner of Police):* Mr. President, Sir. I rise to move for an allotment of Rs. 2,93,676 under "18—Police". Originally I did not really intend to make a speech in support of my motion. Here in this State which is far advanced in the political field, the Government in practice are in a large measure responsive to the opinion of this House and to the opinion of the public. So when I ask for an allotment I think I should explain the position and make my claim to the satisfaction of this House. Essentially I am only a Police man not much accustomed to politics or parliamentary methods. I will put my ideas in my own way and I do hope the House will have satisfaction.

The one peculiar feature which I notice in the budget for the Police this year is that the allotment of last year is enhanced by about Rs. 56,000. And this increase, I find, is mainly due to 4 heads of extra expenditure, and this extra expenditure is not of a recurring nature and is peculiar to the existing conditions. The first item of this extra expenditure is due to the dearness allowance and the second is due to house-rent allowance granted to the poorly paid subordinates of the Police Force. These two allowances together are responsible for nearly half the enhanced amount of this year's budget. I have no doubt at all that the Hon'ble Members are thoroughly in support of these allowances, the dearness allowance and the house-rent allowance. On the other hand I am aware that the Hon'ble Members are very much in favour of the Police men being treated much more liberally and the Hon'ble Members are of the opinion that even the scale of pay of the Police subordinates must be enhanced. When I first came here I also got an impression that the Police subordinates in the State were poorly paid. That was the first impression, and I do not know how I got that impression. With that impression I thoroughly went into the question but soon discovered that I had made a mistake. Now I find that some Hon'ble Members appear to have been in the same position as I was myself and that is because they did not know or do not even now know what exactly is the scale of pay in the various classes of the Police subordinates. I am thoroughly satisfied that the subordinate Police officers in the State are far far better than in most of the Indian States. I am not giving my opinion for your consumption. I am giving you facts and figures from which you can judge for yourselves. An ordinary constable here has got a scale of pay from Rs. 12 to Rs. 16. We have been in the habit of comparing our standard with our neighbouring State, the sister State, Travancore. I think, I may be excused if I make a comparison with that State. In Travancore the scale of pay of a constable starts at Rs. 11 instead of Rs. 12 as is in our State, and the highest scale is Rs. 14 and not Rs. 16 as in this State. Then if we come to the Head constable, the scale of pay there is Rs. 18 as it is here. There, it stops at Rs. 25 whereas we have advanced it to

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